

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BULLITT COUNTY	)	
SANITATION DISTRICT FOR AN	)	
ADJUSTMENT OF RATES PURSUANT	)	CASE NO. 2003-00230
TO THE ALTERNATIVE RATE FILING	)	
PROCEDURE FOR SMALL UTILITIES	)	

O R D E R

On June 16, 2003, Bullitt County Sanitation District filed with the Commission an application for a rate adjustment pursuant to 807 KAR 5:076.

On July 12, 2002, in an unpublished decision, the Kentucky Court of Appeals held that sanitation districts, including those created pursuant to KRS Chapter 67, were governed by KRS Chapter 220 and were therefore exempt from the jurisdiction of the Commission. Oldham County Sanitation District v. Kentucky Public Service Commission, 2001-CA-001482-MR. On September 9, 2003, the Kentucky Supreme Court denied the Commission's motion for discretionary review. As a result of the Supreme Court's denial of the motion, the Commission must dismiss the application herein.

The Commission, having been sufficiently advised, HEREBY ORDERS that the application herein is dismissed for lack of jurisdiction.

Done at Frankfort, Kentucky, this 9<sup>th</sup> day of October, 2003.

By the Commission

ATTEST:

  
Executive Director